

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**KIMBERLY F. MILLS, Individually and
as Independent Executrix of the Estate of
ARTHUR MARK MILLS, and on behalf
Of the Beneficiaries to the Estate to include
JEREMY M. MILLS, LEVI C. MILLS
and APRIL C. WEBB, Each Individually
and as Wrongful Death Beneficiaries of
ARTHUR MARK MILLS, DECEASED**

Plaintiffs

v.

**UNITED AIRLINES, INC.,
ABM AVIATION, INC.,
SIMPLICITY GROUND SERVICES,
LLC D/B/A SIMPLICITY USA,
ANTONIO DELEON, JESSICA MORA,
PRYSTAL MILTON, and
EXPRESSJET AIRLINES, INC.**

Defendants

CASE NO. 4:21-cv-1241

ORDER GRANTING PLAINTIFFS' MOTION TO REMAND

This cause having been removed to this court, and Plaintiffs having made and filed in this court their Motion to have the cause remanded to the 157th Judicial District, Harris County, Texas, it is ORDERED that this cause be remanded to the 157th Judicial District, Harris County, Texas for two independent reasons:

1. Defendants did not timely remove; and
2. Plaintiffs' claims are not completely preempted, thus this Court does not have subject matter jurisdiction.

It is ORDERED that Plaintiff's Motion to Remand this cause to the 157th Judicial District, Harris County, Texas be and is sustained. It is therefore ORDERED that this cause be remanded to the 157th Judicial District, Harris County, Texas as not properly removable to this Court.

Signed this ____ day of _____, 2021.

HON. ALFRED H. BENNETT